Brain Injury Community Re-Entry (Niagara) Inc. (BICR)

Ethical Decision-Making Framework

Introduction

In the course of our work with people with Acquired Brain Injury living in the community and in our residential settings, BICR frequently encounters ethically challenging situations that require us to make decisions about how we are going to respond. In an effort to make good care decisions, that take into consideration the needs and wants of our participants and balance them with the need to keep people safe, we use an ethical framework called "SBAR". SBAR is a process of systematically working through a presenting issue by identifying the **situation**, providing **background** information in relation to the situation, **assessing** possible solutions that could be taken to address the issue and finally recommending an action plan for implementation.

Competing Values

In order to make good ethical decisions, an organization needs to define the values that will serve as the guiding principles that will be referenced when determining how to respond to an ethical dilemma. BICR has adopted the following values that help guide our decision making:

1. **Advocacy**
2. **Participant & Employee Safety**
3. **Commitment to Quality Services**
4. **Confidentiality**
5. **Conflict of Interest**
6. **Dignity**
7. **Fair and Equitable Access**
8. **Health & Well Being**
9. **Informed Choice and Empowerment**
10. **Relationships among Community Agencies**

When two or more of these values are in conflict, we often get an uneasy feeling in our gut. That feeling is usually a sign for us to discuss the situation with a manager. Sometimes, after having a discussion with the manager, a reasonable course of action can be identified and the situation is resolved. However, sometimes during the course of the discussion, the decision is made to formalize the dilemma using the Ethical Framework Worksheet so that further discussions can be had with Senior Management, Psychology and in particularly challenging or complex cases the Behavioural Ethics Committee.

Using the SBAR

1. ## Situation

Problem – Tell the story

What are the facts?
What exactly is the problem to be solved?
Who has the authority to make the decision?
Who needs to be involved?

2. ## Background

Who should be involved?
Have I considered other perspectives?
What values and principles are in conflict?
How does BICR's mission, vision, and values fit?
Is there relevant organizational or professional policy?
Is there relevant law?
What is my personal context/bias?

3. ## Assessments

Options
What are the options?
Are there compromises available?
What about doing nothing?

Deliberate/Evaluate
What are the consequences of each of the options?
How are the options related to the identified values or principles?
What are the risks and benefits of the options?

4. ## Recommendation

Decide
State the decision
Apply the TV Test

Act
What is the implementation plan?
Who has to take action?
What is the communication strategy?
How do we evaluate/revise the action plan as needed?

Using the BICR Ethical Framework SBAR Worksheets

Working through the sections of the worksheet (See the actual form attached in Appendix A) and filling in the form will provide an opportunity to think through the issue more critically and in greater depth. It will also give the other people involved in the decision-making process an opportunity to understand the issue from the perspective of the person bringing the issue forward, very likely the person who knows the participant best.

For each step in the process, consider the scope of your role and level of expertise and whether you should involve other resources (e.g. a Manager, Psychologist/Social Worker, CEO) to support, facilitate, or further inform the decision-making process.

Keep the worksheet handy as you work through the decision-making process. As new ideas come to mind update the form. The steps in working through the worksheet are not always linear or sequential. It may be necessary to go back and forth between sections of the worksheet before you come to a place where you feel you have the situation well documented. Once you have come to the point where you feel comfortable that you can support the decision, it's time to act. Identify the plan of action, implement it and document the implementation of the decision in your enotes.

Behavioural Ethics Committee (BEC)

In some cases, the decision may be made to refer the ethical issue to the BEC. This committee is comprised of staff, participants and family members of BICR as well as other professionals from the community who are not employed by BICR. BEC meets regularly three times per year. In the event of a serious issue, the committee could be called upon to meeting on short notice.

The BEC provides another level of scrutiny to assist in considering all aspects of a dilemma from different perspectives. The discussion and decisions made at the BEC will be documented in the minutes which will be made available to the CEO and Board of Directors as requested.

Organizational Reflection

Accreditation Canada encourages reviewing the ethical dilemmas we encounter. It helps organizational leaders and planners to be aware of the issues that challenge our staff, families and participants and will inform future policy development and program development.

APPENDIX A

ETHICAL DECISION MAKING WORKSHEET

01. SITUATION – UNDERSTAND THE PROBLEM

- What is it about the situation that is triggering ethical consideration?
- What are the facts? (Subjective & Objective)
- Who is the decision maker?

02. BACKGROUND – SETTING THE CONTEXT

- Consider all the stakeholder perspectives.
- Do the BICR Mission, Vision and Values fit?
- Any organizational or professional policies or laws to consider?
- Do stakeholders have any personal biases?

ETHICAL DECISION MAKING WORKSHEET

03. **ASSESSMENT – CONSIDER OPTIONS**

- Options and the consequences of each?
- What about doing nothing?
- Relate options to values and ethical principles?
- Risks and benefits of each option?

04. **RECOMMENDATION – DEVELOP AN ACTION PLAN**

- State the decision.
- Determine action plan: who, how, when.
- Develop Communication strategy – TV test.
- Consider who, how and when to evaluate.